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**To:** Microsoft ATR  
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**Subject:** Comments on Settlement - United States vs. Microsoft

Comments on proposed settlement for civil action No. 98-1232:

Without doubt, I cannot agree more with the proposed settlement. Primarily for the following reasons:

1. In the civil action, numerous allegations are presented that are no more than unproven statements of marketing hype and propaganda. It's no surprise that the statements are one-sided and ignore Netscape's public comments regarding the demise of Microsoft's commercial viability which are equally meaningless. Attorney's are highly skilled at avoiding lies, but extremely skilled at presenting misleading information.
2. There is a monopoly in PC operating systems, however it, has been created by competitor incompetence, sloth and greed. PC OEM's are only interested in what earns them the most profit and America's millions of large and small businesses cannot afford the expense of maintaining, training, installing and resolving compatibility issues of multiple PC operating systems. As it is, having to maintain separate server and PC systems is more than enough headache and there are strong financial forces to compel the fusion of these systems.
3. Microsoft failed at the outset to enhance Windows Explorer to have the capabilities of Internet Explorer. The internet is simply one large array of hard drives. Every computer should be able to connect to these shared drives. There is no need for separate "Explorers" or "Navigators". However, there is nothing to prevent a competent product from being commercially successful if consumers and businesses identify ownership value. Unfortunately, there has never been a market for a separate "browser". Netscape's theft of the browser concept and attempt to create a marketable product is something they have every right to attempt, but this product concept is doomed from the beginning.
4. Alternative operating systems have been soundly rejected by the marketplace for reasons of commonality, cost of training and lack of return of investment for businesses. The Apple monopoly could have been wildly commercially successful, except they chose to maintain high prices. The high cost of operating system entry is hard work, investment and technical competence. Allegations that a Microsoft operating system monopoly makes it more difficult to market a competing operating system are correct, however, there are no barriers to marketing any other software product as thousands of large and small companies have done, provided there is a viable marketing concept and perceived value to the product.
5. There is no browser threat to an operating system. This is a totally ludicrous statement and is not just my opinion, but the opinion of hundreds of PC experts that have published over and over again how totally void of technical knowledge such a statement is. Quoting Microsoft statements to the contrary is simply mis-use of marketing propaganda, proves nothing and has no basis in fact.
6. Software that runs on multiple operating systems is no threat to Microsoft. JAVA, which is not a competitor to the Microsoft operating system, is being avoided more and more by many PC users because it is the language of choice of many hackers and PC terrorists. The demise of JAVA is dependent on it's authors making it a safe and viable product. Their technical competence and business acumen is on trial in the eyes of the market place. I know of no reason to run JAVA on my computer and simply avoid all

web sites that try to load it on my machine. Microsoft does not force any PC user to install their operating system. But like junk mail, numerous web sites offer it daily. Linux, Unix, Beos and several operating systems are available, but do not provide the features and benefits of Windows and will not even be considered by businesses.

7. This action has never been in the interest of consumers. Netscape and Sun have used their political influence to leverage anti-trust concepts to a new level of distortion. Ambitious politicians like Bill Lockyer have been financially induced to support egregious legal actions by companies that have lost billions of hardware dollars to windows PCs. That is, thousands of small companies that could not afford \$60,000 work stations with proprietary UNIX software, can now use \$3,000 PCs to engineer products that consumers demand. Increased productivity due to Microsoft innovation is the real benefit of a free market. This is why Netscape and Sun are losing billions due to the demise of their empires and why they are in such a panic to get revenge by destroying Microsoft. They are using the legal system to compensate for their business failings. Did the largest makers of the buggy whip sue Henry Ford for anti-trust behavior?

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